

**REMARKS**

The Office Action dated February 6, 2004, has been received and carefully considered. Claims 1-11 are pending in the present application.

In this response, claims 1, 5, and 11 have been amended. Entry of the amendments to claims 1, 5, and 11 is respectfully requested. Reconsideration of the outstanding rejections in the present application is also respectfully requested based on the following remarks.

At the outset, Applicant notes with appreciation the indication on page 9 of the Office Action that claim 11 is allowed.

I. THE OBVIOUSNESS REJECTION OF CLAIMS 1-5 AND 8-10

On pages 2-6 of the Office Action, claims 1-5 and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Costello (U.S. Patent No. 5,502,851) in view of Tsuga (U.S. Patent No. 6,260,218). This rejection is hereby respectfully traversed with amendment.

Claim 1 has been amended to be dependent on allowed claim 11, and to recite that the support and handle assembly is configured to receive a modular powered lifting means. Accordingly, since independent claim 11 is allowed, claim 1 should now also be allowed at least by virtue of its dependency

on independent claim 11.

By virtue of the above-described amendment to claim 1, claims 2-5 and 8-10 are now dependent from independent claim 11. Thus, since independent claim 11 is allowed, claims 2-5 and 8-10 should also be allowed at least by virtue of their dependency from independent claim 11.

At this point it should be noted that claim 5 has been amended to more clearly recite the structure of the support and handle assembly (i.e., having an intermediate portion having a horizontal component connected to the first substantially vertical portion so as to substantially pass over the first ends of the first leg and the second leg when the support and handle assembly is in the substantially vertical position), addressing the Examiner's comments regarding the alleged lack of support for the term "outwardly" in the specification. It is respectfully submitted that this term is in fact defined throughout the specification (and drawings) of the present application, as well in U.S. Provisional Patent Application No. 60/222,943, filed August 4, 2000, to which the present application claims priority, and which was incorporated into the present application upon its filing. However, the Applicant has nevertheless amended claim 5 to assist in forwarding the present application toward allowance.

At this point it should be noted that claim 11 has been amended to more clearly recite the pivoting locations of the first leg and the second leg. It is respectfully submitted that no new matter has been added and that no further search and/or consideration is required as this amendment is clearly supported by the present application and merely provides a more accurate recitation of the present invention.

In view of the foregoing, it is respectfully requested that the obviousness rejection of claims 1-5 and 8-10 be withdrawn.

## II. THE OBVIOUSNESS REJECTION OF CLAIMS 6 AND 7

On page 6 of the Office Action, claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Costello (U.S. Patent No. 5,502,851) in view of Tsuga (U.S. Patent No. 6,260,218) and further in view of Ezenwa (U.S. Patent No. 5,193,633). This rejection is hereby respectfully traversed.

Similar to claims 2-5 and 8-10 discussed above, claim 6 and 7 are now dependent from independent claim 11. Thus, since independent claim 11 is allowed, claims 6 and 7 should also be allowed at least by virtue of their dependency from independent claim 11.

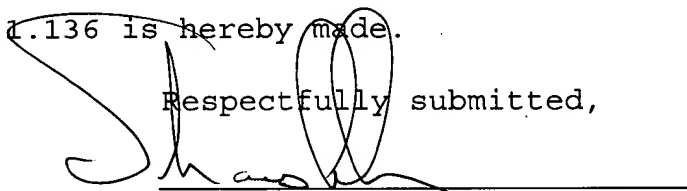
In view of the foregoing, it is respectfully requested that the obviousness rejection of claims 6 and 7 be withdrawn.

III. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas E. Anderson', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

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Date: April 5, 2004

APPENDIX A

1 (Currently Amended). ~~A portable support apparatus comprising:~~

~~—— a main cross member having a first end and a second end;~~

~~—— a first leg and a second leg each having a first end and a second end, the first leg pivoting at a first end thereof about a substantially vertical axis at the first end of the main cross member, the second leg pivoting at a first end thereof about a substantially vertical axis at the second end of the main cross member;~~

~~—— a plurality of caster assemblies attached to the first and second legs, each of the plurality of caster assemblies pivoting about a substantially vertical axis; and~~

~~—— a support and handle assembly attached to the main cross member via hinge means for pivoting about a substantially horizontal axis between a substantially vertical position and a substantially horizontal position, The portable support apparatus of claim 11, wherein the support and handle assembly is configured to receive a modular powered lifting means.~~

2 (Previously Presented). The portable support apparatus of claim 1, wherein the first and second legs are limited in their motion by a pair of locking pins and detent holes formed in the first and second legs and the main cross member.

3 (Previously Presented). The portable support apparatus of claim 1, wherein a portion of the support and handle assembly engages with the first and second legs when in the substantially horizontal position for easy stowage and transport.

4 (Previously Presented). The portable support apparatus of claim 1, wherein the support and handle assembly is configured to receive a modular powered lifting means by comprising mounting pins that are suitable for removable attachment of the modular powered lifting means.

5 (Currently Amended). The portable support apparatus of claim 4, wherein the support and handle assembly comprises a substantial offset having a first substantially vertical portion attached to the main cross member via hinge means, an ~~substantially horizontal intermediate portion having a~~ horizontal component connected to the first substantially vertical portion so as to substantially pass over the first ends of the first leg and the second leg when the support and handle assembly is in the substantially vertical position ~~outwardly from the portable support apparatus,~~ and an ~~second substantially~~ vertical portion connected to the substantially horizontal intermediate portion, such that a load on an attached modular

powered lifting means may be safely ~~positioned inward of the plurality of caster assemblies~~ supported by the portable support apparatus and the dimensions of the portable support apparatus may be reduced.

6 (Previously Presented). The portable support apparatus of claim 5, further comprising:

a motion-limiting assembly for attachment to the attached modular powered lifting means for preventing the load on the attached modular powered lifting means from moving unsafely outward of the plurality of caster assemblies.

7 (Previously Presented). The portable support apparatus of claim 6, further comprising:

an electrical interlock switch for preventing the attached modular powered lifting means from operating if the motion-limiting assembly is not properly installed.

8 (Previously Presented). The portable support apparatus of claim 4, wherein the support and handle assembly comprises means for adjusting the vertical location of the mounting pins.

9 (Previously Presented). The portable support apparatus of claim 1, further comprising:

locking means formed on the support and handle assembly and the main cross member for securing the support and handle assembly in the substantially vertical position.

10 (Previously Presented). The portable support apparatus of claim 9, wherein the locking means comprises a locking pin assembly formed on the main cross member for engaging with a locking blade formed on the support and handle assembly.

11 (Currently Amended). A portable support apparatus comprising:

- a main cross member having a first end and a second end;
- a first leg and a second leg each having a first end and a second end, the first leg pivoting ~~at~~ near a first end thereof about a substantially vertical axis at the first end of the main cross member, the second leg pivoting ~~at~~ near a first end thereof about a substantially vertical axis at the second end of the main cross member;

- a plurality of caster assemblies attached to the first and second legs, each of the plurality of caster assemblies pivoting about a substantially vertical axis; and

- a support and handle assembly directly attached to the main cross member via hinge means for pivoting about a substantially horizontal axis between a substantially vertical position and a



substantially horizontal position.